

## **REMARKS**

In the Office Action, claims 1-21 were pending. Claims 1, 8, 12-13, and 16-17 and 19-20 have been amended, and claims 5, 9 and 14 are cancelled. Reconsideration and allowance of the pending claims is respectfully requested in view of the amendments and the following discussion.

### **1. Double Patenting Rejection**

Examiner alleges that claims 1-21 are provisionally rejected under 35 USC 101 as claiming the same invention as that of claims 1-28 of co-pending application no. 10/751,296.

A reliable test for statutory double patenting is whether an embodiment of the invention falls within the scope of one claim, but not the other, and if there is such an embodiment, then identical subject matter is not defined by both claims and statutory double patenting would not exist. MPEP 804(II)(A). Claims 1-28 of the '296 application recite a display that is not recited in the claims of this application. For at least this reason, reconsideration and withdrawal of the statutory double patenting rejections is requested.

### **2. Rejections in view of prior art**

Claims 1-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,498,944 to Ben-Haim et al. (herein the Ben-Haim et al. reference) in view of US Application No. 11/131,015 (US Publication No. 2005/0288571) to Perkins et al. (herein the Perkins et al. reference).

Claim 1 as amended recites a system that comprises, inter alia, an electrophysiology module, a patient monitoring module, and a docking station operable to selectively couple or decouple the electrophysiology module to the patient monitoring module.

None of the cited references disclose this above-described limitation of a docking station configured to selectively couple or decouple the electrophysiology module in communication with the patient monitoring module. Accordingly, the cited references do

not teach each and every limitation of the claimed invention. Accordingly, reconsideration and allowance of claim 1 is respectfully requested.

Claims 2-4 and 6-7 depend either directly or indirectly from claim 1, and are believed allowable for at least the same reasons that claim 1 is believed allowable. Claims 2-4 and 6-7 may also recite patentable subject matter in addition to that recited in claim 1.

Claim 8 as amended recites a system that comprises, inter alia, a probe configured to be positioned inside a heart of a patient, a console comprising computer components which are communicatively coupled together and configured to receive the electrical information from the probe and position information pertaining to one or more positions of the probe. The system also includes a docking station operable to selectively couple or decouple the console in communication with a plurality of sensors used to measure the received patient information.

For reasons similar to those cited with respect to claim 1, none of the references disclose a docking station configured to selectively couple or decouple the console in communication with a plurality of sensors operable to measure the claimed patient information, as recited in claim 8. Thus, the cited references do not teach each and every limitation of the claimed invention. Accordingly, reconsideration and allowance of claim 8 is respectfully requested.

Claims 10-12 depend either directly or indirectly from claim 8, and are believed allowable for at least the same reasons that claim 8 is believed allowable. Claims 10-12 may also recite patentable subject matter in addition to that recited in claim 8.

Claim 13 as amended recites a system that comprises, inter alia, a first processor operable to receive electrical information pertaining to a heart, a second processor operable to receive position information pertaining to a position of the probe, a third processor operable to receive patient information, and a docking station operative to selectively couple the first, second, and third processors in communication with one another.

For reasons similar to those described above with respect to claims 1 and 8, none of the cited references disclose a docking station configured to selectively couple or decouple the first, second, and third processors in communication with one another, as recited in claim 13. Thus, the cited references do not teach each and every limitation of the claimed invention. Accordingly, reconsideration and allowance of claim 13 is respectfully requested.

Claims 15-16 depend either directly or indirectly from claim 13, and are believed allowable for at least the same reasons that claim 13 is believed allowable. Claims 15-16 may also recite patentable subject matter in addition to that recited in claim 13. For example, none of the cited references disclose a system operable to generate a report to illustrate the electrical information acquired by the probe and position information of the probe generally simultaneously relative to the patient information acquired by at least one sensor not at the probe for comparison on a single display, as recited in claim 16. The Ben-Haim reference merely discloses displaying acquired activation times acquired by sensors at the probe relative to a map of the position of the probe in a heart. Col. 9, line 59-Col. 10, line 9. The recited patient information in claim 13 is not disclosed in the Ben-Haim reference.

Claim 17 as amended recites a system that comprises, inter alia, a first processor operable to receive electrical information pertaining to a heart, a second processor operable to receive a position information pertaining to a position of the probe, a third processor operable to receive a patient information; and a docking station operable to selectively couple the first, second, and third processors in communication with one another, where the system is configured to generate a report comprising the patient information acquired simultaneously relative to the at least one of the electrical information and the position information.

For reasons similar to those described above with respect to claims 1, 8 and 13, none of the cited references disclose a docking station configured to selectively couple or decouple the first, second, and third processors in communication with one another, where the system generates a report comprising patient information acquired

simultaneously relative to the at least one of the recited electrical and position information, as recited in claim 17. Thus, the cited references do not teach each and every limitation of the claimed invention. Accordingly, reconsideration and allowance of claim 17 is respectfully requested.

Claims 18-21 depend either directly or indirectly from claim 17, and are believed allowable for at least the same reasons that claim 17 is believed allowable. Claims 18-21 may also recite patentable subject matter in addition to that recited in claim 17. For example, none of the cited references disclose a system operable to generate a report that comprises an electrical map of the heart created using the electrical information acquired generally simultaneously with the patient information for comparison relative thereto on a single display, as recited in claim 19. In another example, none of the cited references disclose a system operable to generate a report comprises a structural map of the heart created using the position information acquired generally simultaneously with the recited patient information for comparison relative thereto on a single display, as recited in claim 20.

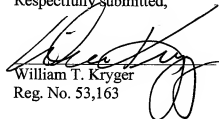
### **CONCLUSION**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

No fees are believed due with this communication. Yet, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application or credit any overpayment to Deposit Account No. 070845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension and authorizes payment of any such extension fees to Deposit Account No. 070845.

The Examiner is invited to contact the undersigned at telephone number (262) 548-4654 if it is felt that a telephone interview would advance the prosecution of the application.

Respectfully submitted,



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Date: October 16, 2007

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